EXHIBIT K

UNITED STATES DISTRICT COURT

for the

Southern District of New York

In re Application of City of Almaty *Plaintiff* v. *Defendant*	))))))	Civil Action No.

SUBPOENA TO TESTIFY AT A DEPOSITION IN A CIVIL ACTION

To: Soho 3310 LLC

(Name of person to whom this subpoena is directed)

☑ *Testimony:* **YOU ARE COMMANDED** to appear at the time, date, and place set forth below to testify at a deposition to be taken in this civil action. If you are an organization, you must designate one or more officers, directors, or managing agents, or designate other persons who consent to testify on your behalf about the following matters, or those set forth in an attachment: The documents described in Schedule A.

Place: Latham & Watkins LLP, 855 Third Avenue, New York, NY 10022-4834	Date and Time:

The deposition will be recorded by this method: Stenographic, video and/or LiveNote means

☐ *Production:* You, or your representatives, must also bring with you to the deposition the following documents, electronically stored information, or objects, and must permit inspection, copying, testing, or sampling of the material:

The following provisions of Fed. R. Civ. P. 45 are attached – Rule 45(c), relating to the place of compliance; Rule 45(d), relating to your protection as a person subject to a subpoena; and Rule 45(e) and (g), relating to your duty to respond to this subpoena and the potential consequences of not doing so.

Date: ____________

CLERK OF COURT

OR

______________________ ______________________

Signature of Clerk or Deputy Clerk *Attorney's signature*

The name, address, e-mail address, and telephone number of the attorney representing *(name of party)* City of Almaty ______________________, who issues or requests this subpoena, are:

Robert J. Malionek, Latham & Watkins LLP, 855 Third Avenue, New York, NY 10022-4834; Tel. (212) 906-1200; Email robert.malionek@lw.com

Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

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PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)

I received this subpoena for *(name of individual and title, if any)* ______________________________
on *(date)* ____________ .

❐ I served the subpoena by delivering a copy to the named individual as follows: ______________
____
____________________________________ on *(date)* ____________ ; or

❐ I returned the subpoena unexecuted because: ______________________________
____ .

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also tendered to the witness the fees for one day's attendance, and the mileage allowed by law, in the amount of
$ ____________ .

My fees are $ ____________ for travel and $ ____________ for services, for a total of $ 0.00 .

I declare under penalty of perjury that this information is true.

Date: ____________

____
Server's signature

____
Printed name and title

____
Server's address

Additional information regarding attempted service, etc.:

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Federal Rule of Civil Procedure 45 (c), (d), (e), and (g) (Effective 12/1/13)

(c) Place of Compliance.

(1) ***For a Trial, Hearing, or Deposition.*** A subpoena may command a person to attend a trial, hearing, or deposition only as follows:
(A) within 100 miles of where the person resides, is employed, or regularly transacts business in person; or
(B) within the state where the person resides, is employed, or regularly transacts business in person, if the person
(i) is a party or a party's officer; or
(ii) is commanded to attend a trial and would not incur substantial expense.

(2) ***For Other Discovery.*** A subpoena may command:
(A) production of documents, electronically stored information, or tangible things at a place within 100 miles of where the person resides, is employed, or regularly transacts business in person; and
(B) inspection of premises at the premises to be inspected.

(d) Protecting a Person Subject to a Subpoena; Enforcement.

(1) ***Avoiding Undue Burden or Expense; Sanctions.*** A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court for the district where compliance is required must enforce this duty and impose an appropriate sanction—which may include lost earnings and reasonable attorney's fees—on a party or attorney who fails to comply.

(2) ***Command to Produce Materials or Permit Inspection.***
(A) *Appearance Not Required.* A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.
(B) *Objections.* A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing, or sampling any or all of the materials or to inspecting the premises—or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:
(i) At any time, on notice to the commanded person, the serving party may move the court for the district where compliance is required for an order compelling production or inspection.
(ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

(3) ***Quashing or Modifying a Subpoena.***

(A) *When Required.* On timely motion, the court for the district where compliance is required must quash or modify a subpoena that:

(i) fails to allow a reasonable time to comply;
(ii) requires a person to comply beyond the geographical limits specified in Rule 45(c);
(iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or
(iv) subjects a person to undue burden.
(B) *When Permitted.* To protect a person subject to or affected by a subpoena, the court for the district where compliance is required may, on motion, quash or modify the subpoena if it requires:
(i) disclosing a trade secret or other confidential research, development, or commercial information; or
(ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.
(C) *Specifying Conditions as an Alternative.* In the circumstances described in Rule 45(d)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:
(i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and
(ii) ensures that the subpoenaed person will be reasonably compensated.

(e) Duties in Responding to a Subpoena.

(1) ***Producing Documents or Electronically Stored Information.*** These procedures apply to producing documents or electronically stored information:
(A) *Documents.* A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.
(B) *Form for Producing Electronically Stored Information Not Specified.* If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.
(C) *Electronically Stored Information Produced in Only One Form.* The person responding need not produce the same electronically stored information in more than one form.
(D) *Inaccessible Electronically Stored Information.* The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

(2) ***Claiming Privilege or Protection.***
(A) *Information Withheld.* A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:
(i) expressly make the claim; and
(ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.
(B) *Information Produced.* If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for the district where compliance is required for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

(g) Contempt.
The court for the district where compliance is required—and also, after a motion is transferred, the issuing court—may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena or an order related to it.

For access to subpoena materials, see Fed. R. Civ. P. 45(a) Committee Note (2013).

EXHIBIT K

SCHEDULE A

EXHIBIT K

SCHEDULE A TO SUBPOENA TO TESTIFY AT DEPOSITION IN A CIVIL ACTION TO SOHO 3310, LLC

Pursuant to Rules 26, 34, and 45 of the Federal Rules of Civil Procedure, the City of Almaty, through its attorneys, issue this subpoena to SOHO 3310, LLC ("SOHO 3310") requesting deposition testimony. This subpoena calls for SOHO 3310 to designate and make available for the purpose of given sworn deposition testimony the officer(s), director(s), managing agent(s), and/or other person(s) who are most knowledgeable and able to testify about each of the following Examination Topics. The following definitions and instructions apply.

DEFINITIONS AND INSTRUCTIONS

1. The terms "YOU," YOUR," and "SOHO 3310" shall mean and refer to SOHO 3310, LLC, and includes and refers to all of said entity's parents, subsidiaries, affiliates, successors in interest, predecessors and assigns, as well as each of their respective officers, directors, employees, agents, representatives, investigators, managers, accountants, attorneys-in-fact, trustees, contractors, insurance companies, or anyone else acting on their behalf.

2. "PERSON(S)" as used herein shall refer to, mean and include any natural person or firm association, organization, partnership, business, trust, corporation, public agency and/or other form of entity.

3. "DOCUMENT(S)" as used herein, shall refer to, mean and include any tangible thing upon which any expression, communication or representation has been recorded by any means, including but not limited to any and all writings, including the original or a copy of handwriting, typewriting, printing, photostating, photographing, electronic and/or each and every other means of recording upon any tangible or electronic medium and/or thing as well as any and all forms of communication or representation, including letters, words, pictures, sounds or symbols, or any combination thereof.

4. "COMMUNICATIONS" or "COMMUNICATE," as used herein, shall mean and refer to the exchange of information by or through any mode or medium including but not limited to spoken word, written correspondence, face-to-face meetings, telephone conferences, phone records, text messages, electronic communications, and/or conveying of information through third person(s) to some other intended recipient.

5. "REFER TO" or "REFERRING TO" any given subject matter means, without limitation, anything that in whole or in part refers to, alludes to, responds to, is connected with, comments on, is about, regards, discusses, shows, describes, lists, mentions, reflects, analyzes, comprises, constitutes, contains, and/or memorializes that subject matter.

6. "RELATE," "RELATED," "RELATES" or "RELATING" to any given subject matter means, without limitation, anything that, in whole or in part, discusses, records, consists of, constitutes, reflects, shows, identifies, describes, analyzes, names, or mentions that subject matter.

7. The "PARTY(IES) OF INTEREST" shall mean and refer to Elvira Kudryashova a/k/a Elvira Khrapunova a/k/a Elvira Balmadini, Dmitri Kudryashov a/k/a Dmitry Kudryashov, Viktor Khrapunov, Leila Khrapunova, Iliyas Khrapunov, and/or Madina Ablyazova a/k/a Madina Khrapunova and any person or entity, past or present, acting on behalf of one or more of these individuals, including, but not limited to, companies or entities which they control, their respective parents, subsidiaries, affiliates, successors in interest, predecessors and assigns, as well as each of their respective officers, directors, employees, agents, representatives, investigators, managers, accountants, attorneys-in-fact, trustees, contractors, insurance companies, or anyone else acting on their behalf.

8. “ACCOUNTS” shall mean any type of financial arrangement involving assets, liabilities, or other things of value, including without limitation bank accounts, deposit accounts, checking accounts, money market accounts, investment accounts, certificates of deposit, brokerage accounts, escrow accounts, insurance policies, individual retirement accounts (IRAs), 401(k) accounts, trust accounts, safety deposit boxes, arrangements with institutions holding precious metals, custodial accounts, exchange traded funds, mutual funds, interests in private equity funds, hedge funds, or other investment vehicles, credit cards, stored value cards, online payment system, money transmitters and remitters (including without limitation Western Union and MoneyGram), check cashers, currency exchangers, Informal Value Transfer Systems (or any remittance systems based on trust), and lines of credit, including lines of credit and accounts at any automobile, jewelry, clothing or other retail entity.

9. Unless otherwise specified, the Topics for Examination described below refer to the time period from SOHO 3310's incorporation up to and including the date upon which Plaintiff City of Almaty takes the deposition of SOHO 3310.

EXAMINATION TOPICS

1. The basis for and circumstances of SOHO 3310's incorporation.
2. The basis for and circumstances of SOHO 3010's dissolution.
3. SOHO 3310's bylaws.
4. SOHO 3310's current and former officers, directors, members, and managers.
5. Persons or entities who currently have or ever have had any direct or indirect ownership interest in SOHO 3310.
6. The business activities of SOHO 3310.

7. The financial condition and activities of SOHO 3310.

8. Monies transferred, directly or indirectly, between SOHO 3310, on the one hand, and any PARTY(IES) OF INTEREST, on the other hand.

9. Financial transactions engaged in on behalf of, by, or involving SOHO 3310 or any PARTY(IES) OF INTEREST.

10. The acquisition, sale, or transfer of real property engaged in on behalf of, by, or involving SOHO 3310 or any PARTY(IES) OF INTEREST.

11. ACCOUNTS, funds, bonds, stocks, monetary instruments, or real property currently or formerly held by SOHO 3310 or any PARTY(IES) OF INTEREST, including the source of such ACCOUNTS, funds, bonds, stocks, monetary instruments, or real property.

12. Communications between SOHO 3310, on the one hand, and any PARTY(IES) OF INTEREST, on the other hand.

10. Communications between SOHO 3310 and Mukhtar Ablyazov, and any person or entity, past or present, acting on his behalf, including, but not limited to, companies or entities which he controls, their respective parents, subsidiaries, affiliates, successors in interest, predecessors and assigns, as well as each of their respective officers, directors, employees, agents, representatives, investigators, managers, accountants, attorneys-in-fact, trustees, contractors, insurance companies, or anyone else acting on their behalf.

13. Monies transferred by or from SDG Capital SA or Swiss Promotion Group SA.

14. SOHO 3310's accounting and bookkeeping practices.

15. SOHO 3310's compliance with the Anti-Money Laundering Act.

16. SOHO 3310's compliance with the Bank Secrecy Act.

17. SOHO 3310's compliance with the Foreign Corrupt Practices Act.

18. Any legal or administrative proceedings involving or RELATING TO SOHO 3310 or any PARTY(IES) OF INTEREST.

19. Any law enforcement or governmental investigation of or RELATING TO SOHO 3310 or any PARTY(IES) OF INTEREST.

20. All DOCUMENTS produced in response to the subpoena attached hereto as **Exhibit A**.